

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TRAVEL CADDY, INC. D/B/A TRAVELON, an Illinois corporation,)	Civil Action No. 1:15-cv-_____
)	
Plaintiff,)	The Honorable _____
)	
v.)	Magistrate Judge _____
)	
TRAVELPRO INTERNATIONAL, INC., a Delaware corporation,)	COMPLAINT
)	
Defendant.)	JURY TRIAL DEMANDED
)	

Plaintiff Travel Caddy, Inc. d/b/a Travelon (“Travelon”) complains against Defendant Travelpro International, Ltd. as follows:

THE PARTIES

1. Travelon is a corporation incorporated under the laws of the State of Illinois with its principal place of business at 700 Touhy Avenue, Elk Grove Village, Illinois. Travelon is a leading provider of travel products such as travel bags.

2. Travelpro International, Inc. (“Travelpro”) is a corporation organized under the laws of the State of Delaware with a principal place of business at 700 Banyan Trail, Boca Raton, Florida. Travelpro conducts business in Illinois and in this District including, without limitation, by marketing and selling a wide range of travel luggage products to consumers and retail stores located in this District. The business activities of Travelpro include promoting, offering for sale and selling products to consumers in Illinois and in this District through its interactive www.travelproluggageoutlet.com website.

JURISDICTION AND VENUE

3. This is an action for patent infringement arising under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.* This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

4. Venue lies in this District pursuant to 28 U.S.C. §§ 1391(b), 1391(c) and 1400(b) because Travelpro is subject to personal jurisdiction in this District, has regularly conducted business in this District and has committed acts of infringement in this District.

FIRST CAUSE OF ACTION – INFRINGEMENT OF THE ‘636 PATENT

5. On June 1, 2004, U.S. Patent No. 6,742,636 (“the ‘636 patent”) entitled, “MESH EXPANSION POCKET FOR LUGGAGE” was duly and legally issued on an application filed on September 25, 2001. Travelon currently owns all right, title and interest in and to the ‘636 patent. A copy of the ‘636 patent is appended as Exhibit A.

6. Travelpro has been and is infringing the ‘636 patent by making, using, offering to sell, selling and/or importing wheeled luggage tote bags incorporating the inventions patented in the ‘636 patent within the United States and within this District, and by contributing to the infringement by others and/or by inducing others to infringe the ‘636 patent. Travelpro’s infringing products include the wheeled luggage tote bag shown in the photographs in Exhibit B hereto, which is marketed as the Travelpro Crew 10 Rolling Tote, including model and/or style numbers 4071413, 407141301 and 407141309. Unless enjoined by the Court, Travelpro will continue to infringe, contribute to the infringement of and/or induce the infringement of the ‘636 patent.

7. Travelpro’s direct infringement of the ‘636 patent, and/or inducement of or contribution to the infringement of others, has injured Travelon, and Travelon is entitled to recover damages adequate to compensate for such infringement pursuant to 35 U.S.C. § 284.

8. The infringement by Travelpro will continue to injure Travelon unless the Court enters an injunction prohibiting further infringement of the '636 patent.

PRAYER FOR RELIEF

WHEREFORE, Travelon prays for:

1. Judgment that the '636 patent is valid, enforceable, and infringed by Travelpro;
2. A preliminary and permanent injunction enjoining Travelpro, its officers, agents, servants, employees, subsidiaries and affiliated companies, and those persons acting in active concert or participation therewith, from engaging in the aforesaid unlawful acts of patent infringement;
3. An award of damages arising out of Travelpro's acts of patent infringement, together with pre-judgment and post-judgment interest;
4. An award of Travelon's attorneys' fees, costs and expenses incurred in this action in accordance with 35 U.S.C. § 285; and
5. Such other and further relief as the Court may deem just and proper.

JURY DEMAND

Travelon demands trial by jury of all issues triable of right by a jury.

Respectfully submitted,

Date: November 5, 2015

/s/Vance L. Liebman

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